**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

Civil Application No.62 of 2006
in
PIL No.39 of 2003
in
Writ Petition No. 7308 of 2002

The State of Maharashtra ...Applicant.

vs

Bombay Environmental Action Group
& Ors. ...Respondents

Mr. S.R. Nargolkar AGP, for the Applicant.

Mr. D.J. Khambata Senior Advocate with Ms Malika Iyer
i/b M/s Federal & Rashmikant for respondent Nos. 1 and 2

**CORAM: H.L.GOKHALE, Acg C.J. &**
**J.P. DEVADHAR, J.**

**DATE: JANUARY 22, 2007.**

**P.C.:-**

Heard Mr. Nargolkar, learned AGP, in support of the civil application. Mr. Khambata appears for respondent Nos.1 and 2.

This Civil Application prays that the directions in paragraph 6 of our judgment dated 19th October 2006, be modified to grant the Superintendent of Land Records, Satara,

further time to complete demarcation and mapping of forest and further extension of time for three months. Mr. Khambata, learned counsel appearing for the original Petitioners opposed this request by pointing out that this deadline has been extended from time to time and when solemn statements are made by the Government Pleader on instructions from their Officers, they should be careful in adhering to the deadline. We quite see the force in the submission of Mr. Khambata. He further pointed out that on the one hand the order of this court has not been complied with and on the other hand permission for construction and alteration are being granted to those properties where some forest land is situated. He has drawn our attention to one such case. He has also tendered a short affidavit which is taken on record. In view of what Mr. Khambata has rightly pointed out, though we permit the applicants to complete the work by the end of March 2007, we make it clear that for any reason it is not so completed, heavy cost will be imposed on the Government or its officers. We further make it clear that during this extended period, if any application for construction or alteration is received by the Municipal Council/ Collector, the Government will see to it that such permission is not granted unless mapping in that particular plot is done first.

Application is allowed in terms of the above terms.

ACTING CHIEF JUSTICE

J.P. DEVADHAR, J.